

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

AUBREY CLIFTON TRAIL, and
BAILEY MARIE BOSWELL,

Defendants.

4:17CR3143

ORDER

A conference was held today with counsel for the parties. Acting by and through her attorney, Defendant Boswell orally moved to continue the trial because her counsel needs additional time to review discovery and prepare for trial. Counsel for Defendant Trail strenuously opposed the continuance. The government does not oppose Boswell's motion to continue. Based on the representations of counsel, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant Boswell's oral motion to continue is granted.
- 2) As to both defendants, the trial of this case is set to commence before the Honorable John M. Gerrard, United States District Judge, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on May 14, 2018, or as soon thereafter as the case may be called, for a duration of five (5) trial days. Jury selection will be held at commencement of trial.
- 3) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendant in a speedy trial, and as to both defendants, the additional time arising as a result of the granting of the motion, the time between today's date and May 14, 2018, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act,

because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1), (h)(6) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

March 13, 2018.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge